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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,514	12/13/2000	Takashi Ichikawa	18920-0016	8514

7590 02/03/2004

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3000 K Street N W Suite 300  
Washington, DC 20007-5116

EXAMINER

BRANT, DMITRY

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 02/03/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/719,514

Applicant(s)

ICHIKAWA, TAKASHI

Examiner

Dmitry Brant

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_                      6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

Specification and claims use the term “**voice recognition**”. **Voice recognition** and **speech recognition** are different technologies:

1. **Speech recognition** is the technology used in applications to interpret spoken words into usable data such as computer commands or word processing.
2. **Voice recognition** is a security-based technology intended to identify and grant rights to a user based on the properties of his or her voice.

Replace all references to “**voice recognition**” with “**speech recognition**”. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being obvious over Hitchcock (4,761,815), in view of Maekawa et al. (6,471,420).

As per claim 1, Hitchcock discloses a speech recognition system for a toy robot that computes duration of speech segment that includes single words or phrases (including pauses) (Col. 3, lines 38-44 and Table 4, "lights off" example) and compares its time length to the pre-computed value stored in memory using threshold analysis (Col. 4, lines 45-55).

Hitchcock does not disclose the output means for "outputting the result of said recognition".

Maekawa teaches a toy device with voice response apparatus (1202, Fig. 27)

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Hitchcock to include a voice outputting means, as taught by Maekawa. This would allow Hitchcock's system to maintain a dialogue with the user, to notify the user about the result of speech recognition and potentially prompt the user to give a new command to the toy.

As per claim 2, Hitchcock discloses a speech recognition system for a toy robot that computes duration of speech segment that includes single words and compares its time length to the pre-computed value stored in memory using threshold analysis (Col. 4, lines 45-55).

Hitchcock does not disclose the output means for "outputting the result of said recognition".

Maekawa teaches a toy device with voice response apparatus (1202, Fig. 27)

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Hitchcock to include a voice outputting means, as taught by Maekawa. This would allow Hitchcock's system to maintain a dialogue with the user,

to notify the user about the result of speech recognition and potentially prompt the user to give a new command to the toy.

As per claims 3-5, Hitchcock discloses a speech recognition system for a toy robot that computes duration of speech segment that includes single words or phrases (including pauses) (Col. 3, lines 38-44 and Table 4, "lights off" example) and compares its time length to the pre-computed value stored in memory using threshold analysis (Col. 4, lines 45-55).

Hitchcock does not disclose the outputting means for synthesized speech.

Maekawa teaches a toy device with voice response apparatus (1202, Fig. 27)

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Hitchcock to include a voice outputting means, as taught by Maekawa. This would allow Hitchcock's system to let the user learn the preferred pronunciation of toy commands by comparing and validating his/her commands to the commands outputted by the system.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zlokarnik (6,594,630) discloses a speech recognition system for control of electrical devices that takes pause durations into consideration

Rothschild (5,209,695) discloses a toy with speech recognition system.

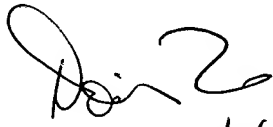
Takizawa (5,444,817) teaches a method of speech recognition that relies on word duration.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Brant whose telephone number is (703) 305-8954. The examiner can normally be reached on Mon. - Fri. (8:30am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis I. Smits can be reached on (703) 306-3011. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 receptionist whose telephone number is (703) 305-4700.

DB  
1/5/04

  
DORIS H. TO 1/26/04  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600